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**JUN 22 2004**



**Medtronic**

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## **Facsimile Cover Sheet**

### **MEDTRONIC LAW DEPARTMENT - CONFIDENTIAL**

**Attention:** Centralized Fax Number  
**Company:** United States Patent and Trademark Office  
**Telephone:** 703-305-5261  
**Facsimile:** 703-872-9306  
**Application No.:** 10/698,223  
**Filing Date:** October 31, 2003

**From:** Keith M. Campbell, Esq.  
**Telephone:** 763-505-0405  
**Facsimile:** 763-505-0411  
**Our Ref. No.:** P-11296.00US

**Date:** June 3, 2004

**Pages (including cover page):** 12

**Comments:**

Please enter the attached documentst for filing with regard to the above-identified application.

If you have any questions, please contact me at the number listed above.

Keith M. Campbell, Esq.  
Reg. No. 46,597

#### **NOTICE**

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS ATTORNEY PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ON THIS TRANSMITTAL FORM. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY Jodi Nickel at (763) 505-0184. THANK YOU.

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JUN 22 2004

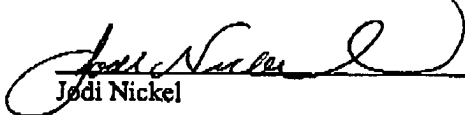
PATENT  
Docket No.: P-11296.00

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Warren L. Starkebaum, et al.	Group Art Unit:	3762
Application No.:	10/698,223	Examiner:	(Not Yet Assigned)
Filed:	10/31/2003	Due Date:	04/03/2004
For:	Ablation Of Stomach Lining To Reduce Stomach Acid Secretion		

## CERTIFICATE OF MAILING UNDER 37 CFR 1.8

I hereby certify that the paper(s), as described herein, are being deposited in the U.S. Postal Service, as first class mail, addressed to Mail Stop: Missing Parts, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 22, 2004.

  
Jodi Nickel

## TRANSMITTAL LETTER

Mail Stop: Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

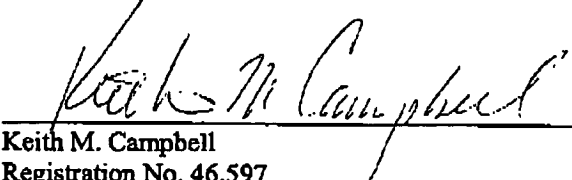
We are transmitting herewith the attached:

- ☒ Response to Notice to File Missing Parts of Nonprovisional Application
  - ☒ Copy of Notice to File Missing Parts of Nonprovisional Application - Part 2
- ☒ Executed Combined Declaration and Power of Attorney
  - ☒ Original
  - ☐ Copy from prior application
- ☒ Sheets of Formal Drawings (containing Figs. )
- ☒ Return Postcard
- ☐ Applicant believes that no extension of time is required. However, if an extension of time is required, please consider this a petition therefor to provide for the possibility that applicant has inadvertently overlooked the need for an extension of time.
- ☒ Applicant hereby petitions for a 3-month extension of time. If an additional extension of time is required, please consider this petition therefor.
- ☒ The Commissioner is authorized to charge Deposit Account No. 13-2546 in the amount of \$130.00 for the surcharge fee and \$950.00 for the petition fee, for a total of \$1080.00. A duplicate of this Transmittal Letter is enclosed.
- ☒ Please charge any additional fees or credit any overpayments to Deposit Account No. 13-2546 which may have been overlooked on this Missing Parts Transmittal with regard to this filing. A duplicate of this Transmittal Letter is enclosed.

***Application No.: 10/698,223***

Respectfully submitted,

Date: June 22, 2004

  
\_\_\_\_\_  
Keith M. Campbell  
Registration No. 46,597  
MEDTRONIC, INC.  
710 Medtronic Parkway NE, MS: LC340  
Minneapolis, Minnesota 55432-5604  
Telephone: 763-505-0405 / Facsimile: 763-505-0411  
Customer No.: 27581

PATENT  
Docket No.: P-11296.00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of:	William L. Starkebaum, et al.	Group Art Unit:	3762
Application No.:	10/698,223	Examiner:	(Not Yet Assigned)
Filed:	10/31/2003	Due Date:	04/03/2004
For:	Ablation of Stomach Lining To Reduce Stomach Acid Secretion		

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Jodi Nickel

RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NONPROVISIONAL APPLICATION

Mail Stop: Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Responsive to the Notice to File Missing Parts of Nonprovisional Application mailed 02/03/2004, please find enclosed the following documents to complete the filing requirements for the above-identified application:

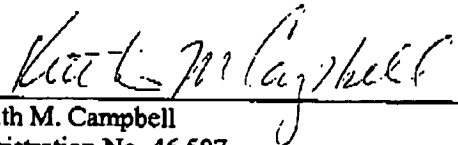
1. Executed Combined Declaration and Power of Attorney;  
☒ Original  
☐ Copy from prior application
2. Copy of Notice to File Missing Parts of Nonprovisional Application;  
☒ \$130.00 surcharge fee;
3. Petition for a 3-month extension of time; and  
\$950.00 petition fee.

The Commissioner is authorized to charge Deposit Account No. 13-2546 in the amount of \$130.00 for the surcharge fee and \$950.00 for the petition fee, for a total of \$1080.00.

Application No.: 10/698,223

Respectfully submitted,

Date: June 22, 2004

  
\_\_\_\_\_  
Keith M. Campbell  
Registration No. 46,597  
MEDTRONIC, INC.  
710 Medtronic Parkway NE, MS: LC340  
Minneapolis, Minnesota 55432  
Telephone: 763-505-0405  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/698,223	10/31/2003	Warren L. Starkebaum	P-11296.00 US

27581  
MEDTRONIC, INC.  
710 MEDTRONIC PARKWAY NE  
MS-LC340  
MINNEAPOLIS, MN 55432-5604

CONFIRMATION NO. 1509

## FORMALITIES LETTER



\*OC000000011815922\*

Date Mailed: 02/03/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

JUN. 22. 2004 4:17PM

MEDTRONIC LAW DEPT

NO. 0936 P. 11

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE